

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

_____	)	
KENNETH ADAMSON	)	
Plaintiff	)	
	)	
v.	)	
	)	
WYETH PHARMACEUTICALS f/n/a	)	C.A. NO. 04-CV-11623-DPW
WYETH-AYERST PHARMACEUTICALS)	)	
Defendant	)	
	)	
ROBERT WINTERS	)	
Defendant	)	
_____	)	

**PLAINTIFF'S STATUS REPORT**

Pursuant to the Honorable Douglas P. Woodlock's order of August 26, 2004, plaintiff Kenneth Adamson ("Plaintiff") submits the herein report concerning the litigation status of the above-captioned matter.

**A. Discovery**

The parties in this matter have engaged in written discovery (interrogatories and document production requests) as well as conducted multiple depositions in Massachusetts as well as in other jurisdictions. To date, plaintiff, in addition to conducting a Fed.R.Civ.P. 30(b)(6) deposition, has deposed nine fact witness.

Plaintiff has left open depositions in some instances to allow his client, for example, the opportunity to examine witnesses further on relevant records, some of which are voluminous. Defendants have kept a few depositions open as well. Depending upon the outcome of summary judgment, Plaintiff may need to conduct additional but limited follow-up discovery on some of these witnesses as well as potentially seek leave of court

to examine other decision makers involved in the hiring and selection of candidates for sales management positions in the relevant geographical area. Plaintiff anticipates that any remaining discovery issues mostly likely will be resolved cooperatively through discussion with counsel, with the possible exception, for example, of disputes relating to Wyeth's diversity initiatives and its affirmative action plan(s).

**B. Settlement**

Plaintiff remains willing to mediate the dispute. Defendant has expressed no interest in pursuing settlement discussions at this time.

Respectfully submitted by:

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/s/ Howard Mark Fine, Esquire  
Howard Mark Fine, Esquire  
Counsel for Kenneth Adamson  
86 Sherman Street  
Cambridge, Massachusetts 02140-3233  
B.B.O. No. 554671  
617-868-9200

Dated: April 19, 2005

**PLAINTIFF'S CERTIFICATE OF SERVICE**

COMES now Howard Mark Fine, counsel for plaintiff in the above-captioned matter, and hereby affirms that the aforementioned status report has been forwarded on April 19, 2005, by first class mail, postage prepaid, to counsel for defendants, Donald W. Schroeder, Esquire, Mintz, Levin, Cohn, Ferris, Glovsky, and Popeo, P.C., One Financial Center, Boston, Massachusetts 02111:

Respectfully submitted by:

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/s/ Howard Mark Fine, Esquire  
Howard Mark Fine, Esquire

Dated: April 19, 2005